

## **810 KAR 1:010. Authorized agents.**

RELATES TO: KRS 230.210-230.360

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: To regulate conditions under which thoroughbred racing shall be conducted in Kentucky. The function of this administrative regulation is to outline the requirements for authorized and jockey agents.

Section 1. Agents Permitted. Any licensed owner, or licensed jockey, licensed apprentice jockey, may as a principal authorize another person as an agent to act in the principal's behalf in all matters pertaining to racing in this state and transfer of horses on association grounds. Authorization shall be in writing and shall define the powers, limits, and term of the agency.

Section 2. License Required. (1) No person may act as agent on behalf of another individual in a matter pertaining to racing in this state, or in the transfer of horses on association grounds, unless both principal and agent have been duly issued current licenses permitting the activity.

(2) If an authorized agent is to act on behalf of more than one (1) principal, a separate license shall be obtained as to each principal. Applications for an authorized agent license shall be accompanied by the written agency appointment, signed by the principal and notarized.

(3) If the agency appointment is other than one authorizing broad general powers and qualifies or limits powers of the agent to act on behalf of the principal in any way then the license, if issued, shall indicate the limitation by the word "qualified" or "limited."

(4) No racing official shall permit any authorized agent whose license indicates a qualified agency to act as an authorized agent until the racing official has inspected a copy of the agency appointment and ascertains whether the act is empowered by agency.

(5) No jockey agent shall make engagements for more than two (2) riders, except that a single jockey agent may represent all riders under contract employment to a single employer. No rider may be represented by two (2) jockey agents at one (1) time.

Section 3. Termination of Agency. An agency shall remain in effect until written notification of revocation is received from the principal by the authority. If a jockey agent is dismissed by his employer, or if a jockey agent discontinues making engagements for a rider, then the jockey agent shall immediately notify the stewards and turn over to the clerk of scales a list of any unfulfilled engagements the jockey agent may have made for the rider.

Section 4. Acts by Authorized Agent. Unless precluded by specified limitations in the agency appointment, a licensed authorized agent may perform on behalf of the licensed owner-principal all acts as relate to racing in this state or transfer of horses on association grounds as could be performed by the principal had the principal been present. In executing any document on behalf of the principal, an authorized agent shall clearly indicate he is acting as an authorized agent and shall specify the principal for whom he is acting. When an authorized agent enters a claim for the account of a principal for whom he is licensed as an authorized agent, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip.

Section 5. Riding Engagements. No person other than the licensed contract employer or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not represented by an agent may make his own riding engagements. Any person permitted to a riding engagements for a rider shall maintain in their possession at all times an engagement book and shall record all riding engagements made, which shall be subject to examination by the stewards at any time. No

jockey agent may enter the jockey room, paddock, or racing strip during the hours of racing.

Section 6. Conflicting Claims for Rider. Any dispute arising from a conflict of claims for the services of a rider shall be determined by the stewards on the basis of written records submitted by the parties involved. (KSRC Ch. 10, 10.01 to.06; 1 Ky.R. 903; eff. 5-14-75; Am. 18 Ky.R. 2001; eff. 2-19-92; TAm eff. 8-9-2007.)